

### REMARKS

In an Office Action mailed on April 9, 2003, an objection was made to the title; and claims 1-28 were rejected under 35 U.S.C. § 102(b) as being anticipated by Blackshear. The title has been amended to overcome the objection to the title. The § 102 rejections are discussed below.

#### Rejections of Claims 1-5:

As amended, the method of independent claim 1 recites after the first time interval, transmitting the first set of commands to the imaging device during a third interval. Furthermore, as amended, the method of claim 1 recites after the second time interval, transmitting the second set of commands to the imaging device during a fourth time interval that does not overlap the third time interval.

The Examiner contends that Blackshear's automatic mode of operation of Blackshear teaches the performance of a task during a first time interval and contends that Blackshear's manual mode of operation discloses the performance of a second task during a second time interval. The Examiner then concludes that Blackshear's alleged first and second time intervals overlap. However, as amended, claim 1 recites that after the first time interval, the first set of commands is transmitted to the imaging device. Blackshear does not teach or even suggest transmitting commands that are generated during the automatic mode of operation after the automatic mode of operation ceases. Thus, as amended, Blackshear fails to teach the limitations of independent claim 1.

Claims 2-5 are patentable for at least the reason that these claims depend from an allowable claim.

#### Rejections of Claims 6-12:

As amended, the article of claim 6 includes a computer readable storage medium that includes instructions to cause a processor to after the first time interval, transmit a first set of commands to an imaging device during a third time interval. Furthermore, the instructions cause

the processor to after the second time interval, transmit a second set of commands to the imaging device during a fourth time interval that does not overlap the third time interval.

See discussion of claim 1 above. In particular, Blackshear neither teaches nor suggests a processor that transmits a first set of commands to an imaging device after the first time interval, as set forth in claim 1.

Thus, Blackshear fails to teach the limitations of amended claim 6. For at least the same reasons, Blackshear also fails to teach the limitations of amended claim 10. Claims 7-9, 11 and 12 are patentable for at least the reason that these claims depend from allowable claims. Therefore, withdrawal of the § 102 rejections of claims 6-9 is requested.

#### Rejections of Claims 14-16:

Claim 14 sets forth instructions to cause a computer to receive a first set of commands that are generated by the execution of a first application program. Claim 14 also includes instruction to cause a computer to receive a second set of commands for the imaging device that are generated by the execution of a second application program.

Blackshear fails to disclose sets of commands that are generated by a first application program and a second application program. Rather, Blackshear only teaches computer and control circuit electronics, and neither teaches nor suggests a first application program nor a second application program. Therefore, for at least these reasons, Blackshear fails to teach all of the limitations of independent claim 14.

Thus, for at least these reasons, withdrawal of the § 102 rejections of claims 14-16 is requested.

#### Rejections of Claims 17-21:

The method of claim 17 includes setting up a first frame, including a first set of commands and setting up and capturing a second frame, including transmitting a second set of commands. The method also includes preventing the transmission of the first set of commands from being interleaved with the transmission of the second set of commands.

Contrary to limitations of claim 17, Blackshear neither teaches nor suggests preventing the transmission of a first set of commands from being interleaved with the transmission of a second set of commands. Although commands may be transmitted during the automatic mode of operation and commands may be transmitted during the manual mode of operation, Blackshear neither teaches nor suggest a circuit or any other arrangement to prevent the transmission of these commands from being interleaved. Therefore, for at least this reason, Blackshear fails to teach all of the limitations of claim 17.

Claims 18-21 are patentable for at least the reason that these claims depend from an allowable claim.

#### Rejections of Claims 22-24:

The article of claim 22 includes a computer readable storage medium that includes instructions to cause a computer to set up and capture a first frame, including transmitting a first set of commands to an imaging device. The instruction also cause the computer to set up and capture a second frame, including transmitting a second set of commands to the imaging device. The instructions also cause the computer to prevent the transmission of the first set of commands from being interleaved with the transmission of the second set of commands.

Contrary to the limitations of claim 22, Blackshear neither teaches nor suggests instructions to cause a computer to prevent transmission of a first set of commands from being interleaved with the transmission of a second set of commands. Without such instructions, Blackshear fails to teach all limitations of claim 22.

Therefore, for at least the reasons set forth above, withdrawal of the rejections of claims 22-24 is requested. Claims 23 and 24 are patentable for at least the reason that these claims depend from an allowable claim.

#### Rejections of Claims 25-28:

The computer system of claim 25 includes a processor to prevent the transmission of a first set of commands from being interleaved with the transmission of a second set of commands.

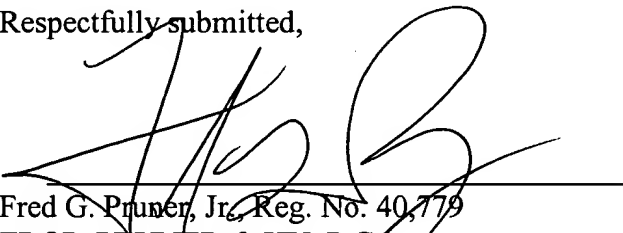
Contrary to the limitations of claim 25, Blackshear neither teaches nor suggests a processor to prevent transmission of a first set of commands from being interleaved with the transmission of a second set of commands. Without this showing, Blackshear fails to teach all of the limitations of independent claim 25. Claims 26-28 are patentable for at least the reason that these claims depend from an allowable claim. Therefore, withdrawal of the § 102 rejections of claims 25-28 is requested.

#### CONCLUSION

In view of the foregoing, withdrawal of the § 102 rejections and a favorable action in the form of a Notice of Allowance are requested. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 20-1504 (ITL.0071US).

Respectfully submitted,

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